

Town of Carbonear
Regular Council Meeting, December 1, 2014

Minutes of a regular meeting of the Council of the Town of Carbonear
held in Council Chambers, December 1, 2014 at 4:00 p.m.

Members Present:	Mayor	George Butt Jr.
	Deputy Mayor	Frank Butt
	Councillors	Ray Noel
		Bill Bowman
		David Kennedy
		Brenda Trickett

Members Absent:	Councillor	Ed Goff
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Also Present:	Town Administrator	Cynthia Davis
	Town Clerk	Cathy Somers
	Director of Operations and Public Works	Brian O'Grady

Absent:	Director of Recreation and Tourism	Rob Button
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1. Calling of Meeting to Order
Mayor Butt called the meeting to order at 4:00pm and welcomed those present at the meeting.

 2. Adoption of Minutes
 - Regular Minutes – November 17, 2014
Motion 14-571 **R. Noel / B. Trickett**
Resolved that the minutes of the November 17, 2014 Regular meeting of Council be adopted as presented.
Favour 6; Opposed 0; **Carried**

 3. Business Arising From Minutes
No Business Arising

 4. Delegations
No delegations listed to speak.

 5. Correspondence, Permits & Development
 - a) List of Permits Issued # 6560-6567
Motion 14-572 **D. Kennedy / B. Bowman**
Resolved to approve the list of permits #6560 - 6567 as per applications received, and per the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies

Favour 6; Opposed: 0; **Carried**

Councillor Kennedy noted that we have 34 new housing construction to date this year, which is up in comparison to a total of 22 last year.

5.1 Correspondence, requiring Council's decision

a) Plan-Tech Environment

Carbonear Municipal Plan Amendment No. 16, 2014 and
Development Regulations Amendment No. 26, 2014

Resolution to Approve Carbonear Municipal Plan Amendment

Motion 14-573

R. Noel / F. Butt

*Under Authority of Section 16, section 11 and section 18 of the
Urban Rural Planning Act, the Town Council of Carbonear*

- a) *Adopted the Carbonear Municipal Plan Amendment No. 16
on the 21st day of October, 2014*
- b) *Gave notice of the adoption of the Town of Carbonear
Municipal Plan Amendment No. 16, 2014 by advertisement
inserted on the 4th day and 11th day of November, 2014 in the
Compass newspaper.*
- c) *Set the 25th day of November, 2014, at 7:30 pm at the Town
Hall, Carbonear for the holding of a public hearing to consider
objections and submission.*

*Now under section 23 of the Urban and Rural Planning Act 2000,
the Town Council of Carbonear approves the Town of Carbonear
Municipal Plan Amendment No. 16 as adopted (or as amended).*

Favour 6; Opposed: 0; **Carried**

Resolution to Approve Development Regulations Amendment

Motion 14-574

F. Butt / R. Noel

*Under the authority of section 16, section 11 and section 18 of the
Urban and Rural Planning Act, the Town Council of Carbonear*

- a) *Adopted the Carbonear Development Regulations
Amendment No. 26, 2014, on the 21st day of October, 2014.*
- b) *Gave notice of the adoption of the Town of Carbonear
Development Regulations Amendment No. 26, 2014 by
advertisement inserted on the 4th day and 11th day of
November, 2014 in the Compass newspaper.*
- c) *Set the 25th day of November, 2014, at 7:30 pm at the Town
Hall, Carbonear for the holding of a public hearing to consider
objections and submission.*

*Now under section 23 of the Urban and Rural Planning Act, the
Town Council of Carbonear approves the Town of Carbonear
Development Regulations Amendment No. 26 as adopted (or as
amended).*

Favour 6; Opposed: 0; **Carried**

5.2 Correspondence received and action taken

Council reviewed the following correspondence and action taken:

- a) NL Public Health Laboratory, Test results of water samples collected on November 4, 2014 @ Department of Justice, 9 Bemister's Hill, TC Square Mall and Town Office. Results marked satisfactory. Placed on file.
- b) CBDC Trinity Conception
RE: Invitation for Council to attend Christmas Open House and Appreciation Event on Thursday, December 11, 2014 from 3-5 pm.
Copied to Council
- c) Tri Con Gentle Giants Special Olympics Club
Invitation for the Mayor to attend Christmas Supper on Wednesday, December 17, 2014 at 6 pm, Bay Roberts Lions Club
Copied to the Mayor
- d) Municipalities NL
 - Dedicated and Sustainable Funds for Municipalities Needed
 - Municipal News Info Note
 - Better towns NL campaign
 - CFIB Report on municipal spending
 - Call for submissions to newsletterCopied to council
- e) Professional Municipal Administrators
 - Recap of the PMA Training sessions and board meetings held on November 20 & 21, 2014
 - PMA Regional Meeting Municipal Issues PresentationCopied to Town Administrator and Town Clerk
- f) Trinity Conception RCMP Children's Wish Tree Lighting
Invitation to attend, November 30, 2014, Harbour Grace
Copied to Council
- g) Property owner Gunner's Pond
Request to rename road
Forwarded to Public Works, Waste Management & Community Service

6. Committee Reports

- a) Finance, Human Resources & Administration Committee
Councillor Noel presented the following motion as recommended by the Finance Committee:
Motion 14-575 **R. Noel / B. Trickett**
Resolved to adopt the Records Management Policy as amended.
Favour 6; Opposed 0; **Carried**
- b) Development Committee
Councillor Kennedy presented the following motions as recommended by the Finance Committee:
Motion 14-576 **D. Kennedy / F. Butt**
Resolved to approve the development application to construct an

extension to an existing shed at 147 Valley Road per the requirements of the Town of Carbonear Municipal Plan and Development Regulations; and further subject to receiving no objections to the variance as distributed to the property owners in the immediate vicinity.

Favour 6; Opposed 0; **Carried**

Councillor Kennedy noted that we no longer have to advertise in the paper for all variances, we can now notify the neighbouring property owners of the proposed variance.

Motion 14-577

D. Kennedy / R. Noel

Resolved to write the Minister of Municipal and Intergovernmental Affairs requesting approval to acquire Crown Land on Valley Road for the purpose of a residential subdivision.

Favour 6; Opposed 0; **Carried**

Motion 14-578

D. Kennedy / B. Trickett

Resolved that the Town of Carbonear approve the development application to construct a new dwelling at 10 Butt's Road per the requirements of the Town of Carbonear Municipal Plan and Development Regulations; and further subject to receiving no objections to the variance as distributed to the property owners in the immediate vicinity.

Favour 6; Opposed 0; **Carried**

Motion 14-579

D. Kennedy / F. Butt

Resolved to send an order to owner of a business operating from 8 Patrick Street to cease the business operation without the required permits from Council.

Favour 6; Opposed 0; **Carried**

Motion 14-580

D. Kennedy / B. Bowman

Resolved to send an order to owner of a business operating from 130 Valley Road to cease the business operation without the required permits from Council.

Favour 6; Opposed 0; **Carried**

Motion 14-581

D. Kennedy / B. Bowman

Resolved to send a removal order to property owner of 4 Kelby Corners to remove an extension to an accessory building on the property built without a permit from Council contrary to the Town of Carbonear Municipal Plan and Development Regulations and the Urban and Rural Planning Act.

Favour 6; Opposed 0; **Carried**

Motion 14-582

D. Kennedy / B. Trickett

Resolved to send a removal order to property situate at 23 Blueberry Crescent to remove the deck completed without a permit from Council

contrary to the Town of Carbonear Municipal Plan and Development Regulations and the Urban and Rural Planning Act.

Favour 6; Opposed 0; **Carried**

Councillor Kennedy noted that our Enforcement Officer has identified various developments including business operations that have been constructed or started without proper permits. Properties owners need to apply to the municipality for the proper permits to ensure that the development complies with the Carbonear Municipal Plan and Regulations and the Urban and Rural Planning Act.

- c) Public Works, Waste Management & Community Service
Deputy Mayor Butt Kennedy presented the following motions as recommended by the Public Works Committee:

Motion 14-583 **F. Butt / B. Trickett**

Resolved to name the section of street formerly referred to as Gunner's Pond Road to "White Carriage Lane" that starts at Valley Road and runs in a southerly direction to where it intersects with Gunner's Pond Road running to the west ; where the westerly section will remain named Gunner's Pond Road to the Gunner's Pond Subdivision.

Favour 6; Opposed 0; **Carried**

Motion 14-584 **F. Butt / R. Noel**

Resolved to approve the Fire Protection Boundary map as presented by Fire Emergency Services for response by the Town of Carbonear Volunteer Fire Department as required by the new Basic 911 service scheduled to be provided.

Favour 6; Opposed 0; **Carried**

7. Reports of Town Administrator and Department Heads
No Administrative Reports listed for this meeting

8. Finance
Operating Invoices: over \$2,000.00 totaling.....\$2,214.80

Motion 14-585 **R. Noel / F. Butt**

Resolved to approve for payment the list of operating invoices totaling \$2,214.80 as presented to Council.

Favour 6; Opposed 0; **Carried**

Capital Invoices Totaling \$259,560.42

Street Upgrading & Paving 2013 (Various Streets)PN 13-118

Bunker Hill, Mahaney's Lane, Valley Road, Bond Street, Mount Royale Estates, Janes Avenue

Deputy Mayor Butt and Councillor Noel declared a conflict of interest on this invoices as they have brothers living on Valley Road. Deputy Mayor Butt and Councillor Noel then left the meeting.

Concord Paving (Hold back).....**\$3,733.52**

Motion 14-586

D. Kennedy / B. Bowman

Resolved to approve for payment the capital invoice for Concord Paving (Holdback) in the amount of \$3,733.52 for the Street Upgrading & Paving 2013 (Various Streets) PN 13-118 as presented to Council.

Favour 4; Opposed 0; **Carried**

Deputy Mayor Butt and Councillor Noel were called back into the meeting.

Water, Sewer & Street Upgrading (London Road – Phase II) PN12-121 (MA 12157) Invoices totaling \$230,306.14.

Councillor Kennedy declared a conflict of interest on this project as his father lives on London Road. Councillor Kennedy then left the meeting.

Motion 14-587

R. Noel / F. Butt

Resolved to approve for payment the following capital invoices for the Water, Sewer & Street Upgrading (London Road – Phase II) Project:

PN 12-121 (MA 12157)

Harris & Associates Engineering Invoice #5822.....\$12,882.73

Cougar Engineering & Construction, CP # 8 (Final).....\$59,538.23

Cougar Engineering & Construction, CP # 9 (Release of holdback)...\$157,885.18

Favour 5; Opposed 0; **Carried**

Councillor Kennedy was called back into the meeting.

Lift Station Upgrading, Pikes Lane PN 13-103 (MA 17-MYCW-15-00064)

Motion 14-588

R. Noel / B. Trickett

Resolved to approve for payment the capital invoice # 5829 for Harris & Associates Engineering in the amount of \$25,520.76 for the Lift Station Upgrading, Pikes Lane project as presented to Council.

Favour 6; Opposed 0; **Carried**

- 9. Regulations
None listed.

- 10. General Business
Deputy Mayor Butt asked if there is supposed to be an additional plaque placed on the boardwalk for the second lot of trees donated. Town Administrator advised that she would check with the Director of Recreation and Tourism on this matter and have him report back to Council.

Deputy Mayor Butt inquired about the updated website. Town Administrator advised that she has sent off the final changes to the designer and the website should be implemented in the new year.

Deputy Mayor Butt inquired about Council and staff individual and group photos and asked when the photos would be on the web site and when the group photo would be on display here in the Council Chambers. Town Administrator advised that she was hoping to get the group picture edited, but she will send out the

photo to Council members and if it is acceptable she will have it completed and framed, then placed on the wall here in Council Chambers. The new individual staff and Council photos have been uploaded to the new website and will be viewable once the new website is released.

Deputy Mayor Butt noted he had an inquiry from a resident on Willoughby Drive relating to a fence matter. It was previously reviewed in committee of Council, but the resident does not have a response from Council to date. Town Administrator advised that correspondence will be prepared and sent out to the property owner.

11. Notices of Motion
No notices of motions were filed.

12. Adjournment
Motion 14-589 **F. Butt / R. Noel**
Resolved that the meeting adjourn at 4:26 p.m.

Mayor George Butt

Cathy Somers, Town Clerk